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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,811	03/22/2006	Luppo Edens	GRT/4662-157	4888
23117 7590 04/28/2009 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
SINGH, SATYENDRA K				
ART UNIT		PAPER NUMBER		
1657				
MAIL DATE		DELIVERY MODE		
04/28/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10572811	3/22/2006	EDENS ET AL.	GRT/4662-157

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EXAMINER

SATYENDRA K. SINGH

ART UNIT	PAPER
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20090421

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Commissioner for Patents

The reply filed on 1/26/09 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): See 37 CFR 1.111.

Applicant's election of Group V, claims 9, 11-12 and 18 is noted.

However, the election of "celiac disease, a disease associated with the occurrence of celiac disease, or a disease caused by a decreased level of proline specific proteases in a patient's body" does not clearly correspond to the claim designated language which states "a celiac disease linked disorder like autoimmune disorder selected from the group consisting of...". Therefore, the "elected specie" in the response filed 1/26/2009 does not correspond to the species listed in the restriction requirement based on the specific conditions or disorders listed in the claims.

Applicant's argument is that claim 9 recites a psychiatric disorder or a celiac disease linked disorder and that both alternatives should be considered. In response, it is noted that both alternatives were considered and that the species election requirement made by the examiner (see office action dated 11/24/2008, page 5, 1st paragraph, in particular) contains all of the species encompassed by both psychiatric disorder and a celiac disease linked disorder recited as Markush groups. Therefore, applicant is required to elect ONE single condition for examination on the merits, whether it is from the group of psychiatric disorder or from the group of a celiac disease linked disorder. It is also emphasized that the claim 9 is directed specifically to "a celiac disease linked disorder like autoimmune disorder", and not "a celiac disease linked disorder".

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Satyendra K. Singh/
Examiner, AU1657

/Irene Marx/
Primary Examiner, Art Unit 1651